

SAYS DIAGNOSIS WAS INCORRECT

T. A. Horne, Jr., Sues Dr. E. S. Wright for \$10,000, Charging Him With Malpractice.

LAD'S DEATH INVOLVED

PHYSICIAN SAYS HORNE FAILED TO PAY HIS BILL.

T. A. Horne, Jr., brought suit yesterday in the district court against Dr. E. S. Wright to recover \$10,000 for the death of his son, Leon Ross Horne, who died last January at the age of 8. In the complaint malpractice is charged, Mr. Horne holding the defendant responsible for the death of his son by reason of mismanagement in the matter of medical practice and neglect.

The complaint alleges that Dr. Wright made an incorrect diagnosis of the affection from which the patient suffered, and called it measles, when, in reality, it was diphtheria. Subsequently Dr. Wright performed a tracheotomy, which, it is alleged, was the result of nervous shock caused by the removal of the first tube from the throat of the child. After that the doctor did not do anything further and in a short time after he left the house the child died.

In a statement made by Dr. Wright last night he said that when he was called in the case the patient was black in the face from suffocation. He inserted the tube to relieve this condition, and immediately called in a throat specialist. He says:

"We kept the child alive for at least two days by these means. The matter is one that I do not care to discuss in detail, as goes the technical part of the treatment. We did everything that the practice affords or has developed in the treatment of such cases. It is inevitable that some cases must be lost when the doctor is permitted to run so long as this one was before calling in a doctor."

"As a matter of fact, I think the suit is only a scheme to cause me annoyance. The man has not paid me for my services."

Visiting or professional cards printed while you wait, 50 cents per 100. Automatic Card Printing Co., Keith-O'Brien or 235 South Main.

MAKES PLEA FOR THE SINFUL AND SUBMERGED

Elderkin's Address Is Feature of the Opening Session of Congressional Convention.

The first day of the annual convention of the Congressionalists of Utah closed last evening with a scholarly address on "Brotherhood" by Rev. Noble Strong Elderkin of Ogden.

Mr. Elderkin took occasion to criticize the attitude of America toward the foreign element that comes into the country and spoke strongly against race prejudice. He followed this with an exhortation to recognize all of the sinful and the downtrodden of the earth as real brothers, holding up as an example the attitude of the Savior toward the sinners of his own time.

Following the address Rev. W. C. Veazie administered communion to the assembly.

The morning and afternoon meetings were devoted to work, the first being taken up with business and the reports of the various churches, and a brief address by Rev. W. C. Veazie, the missionary superintendent.

The Women's Missionary union took charge of the afternoon meeting, and besides the usual business and reports of the various churches, and a brief address by Rev. W. C. Veazie, the missionary superintendent.

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URCHIN HANGS JOKE ON GUARDELLO BROWN

Captured After Three Hours' Chase, Henry Miller Walks Out of Juvenile Court.

Henry Miller, aged 11 years, is not only an apt pupil of Fagan, but as well, it appears, he is in some respects a Jean Valjean. If he has been taught by his parents to steal, he has acquired from others the ability to make himself mighty source when he is wanted.

And thereby hangs a joke on Guardello Brown, chief probation officer, and J. U. Eldredge, sr., chief clerk of the juvenile court.

On Wednesday night young Miller, who is a typical waif of the streets, whom any one would call "Rusty" on the first introduction, was wanted by the probation officer, because he led a man a wild goose chase in search of his alleged home.

For the reason that he has been a street Arab for months, an incorrigible. When Brown had chased after the boy for three hours, he was finally rounded up and taken to the Utah home. Yesterday he was in the juvenile court, washed around the entire way around his neck and part way up his arms. He was as meek and humble as any lad could be, and he looked as demure as a maiden awaiting her sweetheart in the best parlor with all the folks there.

Presently he hesitatingly approached Mr. Eldredge, who was engaged with other matters at the time, and asked his permission to step into another room for a moment.

"Certainly, my boy; skin out," said Eldredge.

In the course of half an hour Brown, having finished his business in another department, returned to the court room.

"Where's that boy?" asked he.

"That Miller boy that I left here a little while ago. Why, here's his coat and hat, but he hasn't come back."

But he wasn't. And then it was up to Brown to think things that he wouldn't utter for the world, and announce that he reckoned it was up to him to make another three-hour hunt—and maybe longer.

LOCAL BRIEFS

EMERSON WARD AMUSEMENT COMMITTEE will give a dance in the yard hall this evening.

HAROLD HOPE, son of Vice President Pope of the Carnegie Steel company, and Charles Wood, one of Mr. Hope's assistants, were in Salt Lake yesterday. The gentlemen are completing a business trip to Mexico and the coast, and left for Denver last night.

They were the guests of Lee C. Murray, local representative of the Carnegie Steel company.

J. BRISBANE WALKER of New York, former owner of the Cosmopolitan, is visiting his aunt, Mrs. O. J. Salisbury. Mr. Walker is accompanied by his sister, John Walker, aged 12 years. They are on the way to California.

THE POLING PLACE IN DISTRICT 33 will be in the Lutheran church, Fourth East and Second South streets, instead of the place previously selected.

MRS. AUGUSTA MILLER, 70 years of age, will be transferred to the state mental hospital in Provo today from the county jail. All efforts to find her relatives have failed.

A SPECIAL ORGAN RECITAL was given yesterday in the tabernacle for the students of the L. D. S. university.

JAMES H. CANNON has returned from California.

ANGUS M. CANNON, who was operated on at the L. D. S. hospital yesterday, is recovering.

THE HALLOWEEN PARTY to be given by the commercial club, at the L. D. S. in the gymnasium takes place tonight.

YESTERDAY WAS PAY DAY for the school officials and the janitors. The former received \$1,296, and the latter \$2,561.

THE MERRITT ORCHARDS COMPANY of Green River, Emery county, capital \$25,000, will have a picnic at Ogden, Oct. 31. The officers are: E. T. Merritt, president; Anna Merritt, vice president; E. J. Roberts, secretary; E. J. Storer, treasurer.

ANN BROWN yesterday asked the dismission of a contract against R. S. Boyd, charging him with exhibiting a deadly weapon on Wednesday. The complainant is Alex. Baker.

THE COUNTY ATTORNEY yesterday secured a writ of habeas corpus for R. S. Boyd, who took his case to the supreme court on appeal.

A luncheon was served by the ladies of the church to the visitors.

The same rule will be observed today, making the morning and afternoon meetings one.

The program for today follows: 9:00 to 9:15—Devotions; 9:15 to 10:30—Reports from the International council; 10:30 to 11:30—Paper, Rev. W. J. Larkin, "The Work and Qualifications of the Pastor"; 11:30 to 11:45—Discussion; 11:45 to 12:30—Teachers' round-table; S. H. Goodwin; 12:30 to 1:30—Paper, "The Tendency of Modern Religious Criticism," Rev. J. Chalmers Smith; 1:30 to 2:30—Discussion; 2:30 to 3:30—Business; 3:30—Song service; 3:30—Address, "Faith and Doctrine," Rev. P. A. Simpkins.

The Salt Lake Security & Trust Company

What it can do for you No. 8

It solicits the savings accounts of children, affording them the same courtesies and liberal terms as are extended to adults.

INTEREST PAID ON DEPOSITS.

3 per cent on checking accounts

4 Per Cent on Savings,

6 Per Cent on Secured Certificates of Deposit.

34 Up, Main Street.

Figure It Out

Who is Author of Utterance Which Will Go Down in History?

In order to stimulate interest among the young of Utah in the affairs of congress so that the throbbing thoughts that find expression in that great deliberative body may tend to educate and ennoble the youth of the state. The Herald proposes to publish a series of quotations, with the hope that its readers will study the Congressional Record and familiarize themselves with the lofty utterances of Utah statesmen.

To the first person who brings to the Herald office the name of the statesman, banker, druggist and apostle who used the accompanying expression, The Herald will give a picture of the full dinner pail that was the principal campaign asset of the Republican party in 1904. In order to aid the undisciplined imagination of the literary novice and places the author of that particular thought in the ultra perspicacious class. When this gastronomic feat of the cap causes the whole structure to crumble, the writer reaches the realm of literary exposition and stops within speaking distance of oratorical apotheosis. If anything were to be offered in the way of advice to the writer of this quotation, I might mention his preternatural prodigality and its innocuous incomprehensibility. At the intermediate point of his discourse, the speaker seems to superciliously to Professor Dingbats who offers the following rhetorical analysis:

"The sentence possesses the three prime essentials of correct English, namely, unity, clearness and strength. It is marked by a flawless logic and continuity of thought which stamps it as a notable example of the argumentative style. The splendid rhetorical exhortation by which the cap is made to permeate the mass stamps the writer as an intellectual contortionist. The picture of the cap eating out the foundation staggers the imagination of the literary novice and places the author of that particular thought in the ultra perspicacious class. When this gastronomic feat of the cap causes the whole structure to crumble, the writer reaches the realm of literary exposition and stops within speaking distance of oratorical apotheosis. If anything were to be offered in the way of advice to the writer of this quotation, I might mention his preternatural prodigality and its innocuous incomprehensibility. At the intermediate point of his discourse, the speaker seems to superciliously to Professor Dingbats who offers the following rhetorical analysis:

"An era of prosperity is crowned by a cap of wild speculation, and the cap somehow permeates the mass."

LOCATES HER MISSING BROTHER THROUGH HERALD FORM CHART

After losing all trace of her only brother for nearly three years, Mary Lambert Manders, now of Pocatello, discovered the whereabouts of her only living relative through the columns of The Herald.

Yesterday The Herald received the following communication:

"Dear Sir: I saw under The Herald form chart the name of Manders as a brother."

"As my brother left here more than two years ago and I never heard of him since, I am sure that he is still alive. I have been anxious to learn his whereabouts and therefore I take the liberty of asking you if possible to find out who Jockey Manders is, where he comes from, what his nationality is, and if he has been in the dark of late and his initials. Your kindness will be very much appreciated. The front name must be Leo and

he came over from the old country three years ago last August."

"Thinking in advance and trusting to hear from you at an early date, I beg to remain, yours truly,"

"Pocatello, Ida., Oct. 28."

"Jockey Leo Manders was seen at the fair grounds just after the race yesterday by a Herald reporter, and stated that the letter was undoubtedly from his sister. He stated that he left the address of his father, Young Manders, a position as Jockey with a Canadian horseman and followed the westward circuit through to Seattle and a head of the state of Washington. He said that about a year and a half after he left his sister he was in Hamilton, but received no answer from her, and had no idea where she was until notified by The Herald reporter. He was delighted to learn that his sister was still in the country, and immediately went out and rode the Platoon to a victory in the third race. He has written to his sister and she will hear from him today."

WATER FOR PENITENTIARY PICKPOCKETS ARE AT WORK

Special Committee Meeting Called to Consider Matter of Closing Contract.

At the meeting of the waterworks committee last evening, it was decided to hold a special meeting of the members with the mayor this forenoon at 10 o'clock to consider the matter of entering into a temporary contract with the board of corrections for the furnishing of water to the state penitentiary.

The governor recently sent a communication to the mayor and the city council to the effect that the city should be asked to make an arrangement with the city for supplying water to the prison, pending a settlement of the water which is now pending. If such an arrangement cannot be made, the governor said, the city would be without water, as the city had abrogated the contract which it formerly had. The water comes from the state penitentiary.

The engineering committee recommended that the petition of the university for permission to connect with the water main on Thirteenth East street be granted. The purpose is to furnish a supply for the hydraulic laboratory.

The streets committee recommended that W. H. Dye be placed on the regular list of street cleaners at \$2.00 per week. The committee also recommended that he be placed in the office of the supervisor temporarily.

The engineering committee decided to recommend the installation of the suction gas producer plant at the intersecting sewer station at a cost of \$2,800.

The finance committee will recommend that the board of public works proceed with the building of a new bridge across the Jordan river at North Temple, the bridge to cost \$8,000.

TOUCHED IN DARK ALLEY.

Blackbird Flits Away With Henry Ballard's Roll.

Henry Ballard wandered into police headquarters yesterday with a groan. He had been touched for his roll of \$145 by a "fly" negro, so he stated, and he wanted the police to look up the matter. He said he was on the street at night, and the negro came up to him and touched him on the back with a stick, and he was given one hour in which to "blow" for distant parts.

Letter From a Forty-Niner.

Could Not Obtain Relief From Catarrh Until He Had Used Hymel.

Here is a simple, interesting and sincere letter from a rugged pioneer of '49, who braved the dangers and hardships of the overland trail to California. Surely the sincerity of this letter should strongly appeal to those who desire to escape the bondage in which they are now held by that ruthless and most powerful wrecker of health and happiness, Catarrh.

"Dear Sirs—Some years ago I was affected with catarrh, and tried a number of remedies, but received no relief. I was told by a friend who had been using your Hymel, and thought I would receive a great benefit and perhaps a cure. I purchased an outfit, and before I had used the bottle I noted a marked relief."

"I used it for a month or so, and thought I was cured, and stopped using it for a year or so. Thought I was getting catarrh again, and started using it again, and I keep it in the house and use it every morning once a day, and keep myself clear of catarrh. I consider it the best catarrh medicine that is used. I have often recommended it to my friends. I am 51 years old. I came to California in 1849, and, of course, am not as vigorous as I was 35 years ago. My address is 341 4th St., St. Louis, Mo."

Hymel (pronounced High-mel) is guaranteed by F. C. Schramm not only for catarrh, but for grip, coughs, colds, bronchitis, croup, in infants, asthma, and all diseases of the nose, throat and lungs. A complete outfit, including inhaler, costs only \$1.00; extra bottles of Hymel if afterwards needed cost but 50 cents. Ask F. C. Schramm about it.

For sale by F. C. Schramm, druggist, corner First South and Main street, "Where the cars stop."

For Duck Hunters

One of the most attractive uses to which the

Thermos Bottle

Can be put is to use it to carry hot coffee.

The coffee keeps hot for 24 hours.

\$3.75 up.

SCHRAMM'S

Where the cars stop.

Thermos Jars and Bottles.

and eats out the foundation, and the whole structure crumbles."

The Herald selected this particular quotation for the initial quotation, because of its original style. There is probably nothing else like it in the whole range of English literature. The Herald submitted the quotation to Professor Dingbats who offers the following rhetorical analysis:

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ALAN C. MURRAY SEVERS ARTERIES

Former Salt Lake Man Commits Suicide in Railroad Yards in Portland.

(Special to The Herald.)

Portland, Ore., Oct. 28.—The naked body of Alan C. Murray, brother of D. S. Murray, general superintendent of the Pacific Telephone & Telegraph company of San Francisco, was found before daylight last Saturday morning in the railroad terminal yards in Portland. He had committed suicide, hacking his wrists with a dull pocket knife until the arteries were severed. A knife was found in a box car with Murray's bloody clothing, which he evidently had removed in his delirium after cutting his wrists.

Murray was born in Kentucky and came of a good family. He was formerly superintendent of construction for the Utah division of the Rocky Mountain Bell Telephone company, his brother, D. S. Murray, being superintendent. When he attained this position he returned to Kentucky to meet his wife, but found his wife had died. He went to the bad from drink, his brother finally discharging him. Murray came here from Boise and was employed by the local telephone company, but was discharged for drunkenness on Oct. 15.

In his coat pocket was found a letter from his brother, which contained the following:

"You are not going to preach to me, but you have ignored the fact that you owe an obligation to somebody other than yourself, and even if you have no care for yourself, these other persons who have endeavored to befriend you and your sisters and brothers have the right to demand that you do something for yourself. If you disgrace me in this company as you did in the Rocky Mountain Bell company I will indeed be in a bad way."

SOULARD CASE GOES OVER

One of the Witnesses Is Drunk and the Other Is in Nevada.

Charged with burglary on four counts, Leon Soulard, a 22-year Frenchman, will today have a hearing before Judge Diehl in the city court. He was arraigned yesterday on five counts, pleaded not guilty to the first four, and after one count had been dismissed, was held in \$1,800 bail.